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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,100	12/19/2001	Bhagat V. Nainiani	OR01-07501	9704
51067	7590	04/06/2005	EXAMINER	
ORACLE INTERNATIONAL CORPORATION c/o A. RICHARD PARK 2820 FIFTH STREET DAVIS, CA 95616-2914			LIM, KRISNA	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,100

Applicant(s)

NAINIANI ET AL.

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-34 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. Claims 1-34 are presented for examination.
2. The disclosure is objected to because of the following informalities:
 - (a) On page 1, the text of the first paragraph should be updated with the current status of the cited applications such as U.S. Patent Application Serial No., a filing date, U.S. Patent No., and the issued date. Appropriate correction is required.
3. Claims 1-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a. In claim 1, at line 4, it is unclear where the message is formatted. At line 7, it is unclear is a database. At line 8, is this database server is the same or different from the database at line 7?
 - b. In claim 6, it is unclear from where is the request come.
 - c. In claim 7, it is unclear to where is the registering taken place.
 - d) As to claims 13-34, they contain similar problems as in claims 1-12.
4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burns et al. [U.S. Patent No. 6,275,496] in view of Beranek et al. [U.S. Patent No. 6,226,642].
6. Burns et al. disclose (e.g., see Figs. 1-6) the invention substantially as claimed. Taking claim 1 as an exemplary claim, the reference discloses a system (110) having a

request handler 111, a scheduler 118 and a cache 124 to facilitate accessing communication queue using a public network (facilitate delivery of the content to the multiple subscribers, see Figs .2-6, the abstract, col. 7 (line 54) to col. 8 (line 4), col. 9 (lines 25-34)) by intelligently pre-caching and pre-loading frequently requested content during off-peak hours and cached it at the local service providers for serving to multiple subscribers during the peak time. Moreover, Burns et al. disclose the features of: generating a message at a client (i.e. see col. 7 (line 66); communicating the message across the public network (54) to a web server (52) and passing the message to a queue (cache) within a database server (72) across a proprietary network (e.g., see col. 6, lines 57-59). Burns et al. recognize that the request or content might be in different formats and further teach the feature of converting this requests (e.g., see col. 9 (lines 35-55)). Burns et al. however do not explicitly detail or mention that their large amounts of data (streaming, audio and video data) are formatted in a publicly available format and transforming the message to a database specific format. Beranek et al. on the other hand clearly teach the feature of format and re-format a data to specific format (e.g., see col. 2 (lines 25 and 52-53), col. 3 (lines 13-15)). Moreover, Beranek et al. disclose the features of: a) generating a message at a client (e.g., see email of client machine 10, HTTP request of Figs. 9 and 12); b) formatting the message in a publicly available format (e.g., see col. 2 (lines 25 and 52-53), col. 3 (lines 13-15)); c) communicating the message across the public network (Internet) to a web server (e.g., see col. 1 (lines 33-38), col. 2 (line 40)); d) receiving the message at the web server (e.g., see col. 1 (lines 33-38)); and e) transforming the message to a database specific format (e.g., see col. 2, lines 52-53).

7. As suggested by Burns et al. (e.g., see col. 4, lines 30-59), delivery of the content from the content provider to multiple users more effectively and the elimination of the latency problem would have been a desirable feature in the art. Moreover, as suggested by Beranek et al. enhance the operation of a web application would have been a desirable feature in the art also (e.g., see col. 2, lines 49-53), Fig. 12). Since both of these two references are dealing with more effective and enhance operation of

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the data delivery between client (subscriber PC) and the content server (data stream with web document) (e.g., see Fig. 6 of Burns et al. and Fig. 12 of Beranek et al.), it would have been obvious to one skill in the art to recognize as suggested by both references and combine the teaching of these two references in order to achieve a more effective and enhance operation of data delivery between client and the content provider.

8. As to claim 2, Beranek et al. disclose the publicly available format included mark up language (e.g., see col. 3, lines 14-15).

9. As to claim 3, Beranek et al. disclose the message communicating with one of HTTP and FTP (e.g., see the abstract, Fig. 9, cols. 3 and 5).

10. As to claims 4-8, Beranek et al. disclose sending the message from the queue (cache) to a recipient and requesting to receive a stored message from the queue (e.g., see 258 and 262 of Fig. 7).

11. As to claim 9, Beranek et al. disclose the Internet (e.g., see col. 5, lines 10 and 58).

12. As to claims 10, 11 and 33-34, Examiner takes an Official Notice that such feature of authenticating the client to the web server, operations of the transaction are committed and aborted as a unit and the feature of handle recovery from failures are the well known features in the art at the time the invention was made.

13. As to claim 23, Beranek et al. disclose proxying as a database user by the web server on behalf of an Internet user (e.g., see 225, 262 of Fig. 7 and Proxy server of Fig. 12).

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13. Claims 13-22 and 24-32 are similar in scope as of claims 1-11, and therefore claims 13-22 and 24-32 are rejected for the same reasons set forth above for claims 1-11.

14. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

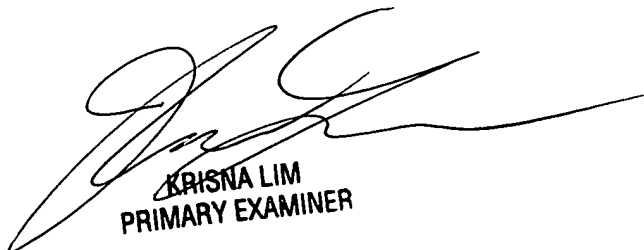
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956 the examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

April 1, 2005



KRISNA LIM
PRIMARY EXAMINER